

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VIASAT, INC.,

Plaintiff,

v.

WESTERN DIGITAL CORPORATION and
WESTERN DIGITAL TECHNOLOGIES, INC.,

Defendants.

Case No. 6:21-cv-01230-ADA

JURY TRIAL DEMANDED

VIASAT, INC.,

Plaintiff,

v.

KIOXIA CORPORATION AND
KIOXIA AMERICA, INC.,

Defendants.

Case No. 6:21-cv-01231-ADA

**DECLARATION OF PATRICK COLSHER IN SUPPORT OF DEFENDANTS'
OPENING CLAIM CONSTRUCTION BRIEF**

I, Patrick Colsher, declare as follows:

1. I am an attorney with the law firm of Shearman & Sterling, LLP and counsel for Defendant Western Digital Technologies, Inc. (“WDT”). I have been admitted *pro hac vice* in Case No. 6:21-cv-01230-ADA captioned above.
2. I provide this declaration in support of WDT’s Opening Claim Construction Brief. I submit this declaration based upon my personal knowledge and my investigation of the facts below. If called upon to testify, I could and would testify competently to these facts.
3. Attached as **Exhibit 1** is a true and correct copy of U.S. Patent No. 8,615,700.
4. Attached as **Exhibit 2** is a true and correct copy of U.S. Patent No. 8,966,347.
5. Attached as **Exhibit 3** is a true and correct copy of an office action response titled “Amendment,” dated April 29, 2013, from the prosecution history for U.S. Patent No. 8,615,700.
6. Attached as **Exhibit 4** is a true and correct copy of excerpts of IEEE 100 The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition, published by Standards Information Network, IEEE Press, copyright 2000.
7. Attached as **Exhibit 5** is a true and correct copy of excerpts of Wiley Electrical and Electronics Engineering Dictionary, by Steven M. Kaplan, published by John Wiley & Sons, Inc., copyright 2004.
8. Attached as **Exhibit 6** is a true and correct copy of excerpts of Merriam-Webster’s Collegiate Dictionary, Eleventh Edition, published by Merriam-Webster, Inc., copyright 2005.
9. Attached as **Exhibit 7** is a true and correct copy of U.S. Patent Application Publication No. 2005/0138521 to Suzuki.
10. Attached as **Exhibit 8** is a true and correct copy of excerpts of Webster’s New World College Dictionary, Fourth Edition, published by Wiley Publishing, Inc., copyright 2006.

11. Attached as **Exhibit 9** is a true and correct copy of excerpts of The American Heritage Dictionary of the English Language, Fourth Edition, published by Houghton Mifflin Company, copyright 2006.

12. Attached as **Exhibit 10** is a true and correct copy of excerpts of the Microsoft Press Computer Dictionary, Third Edition, published by Microsoft Press, copyright 1997.

13. Attached as **Exhibit 11** is a true and correct copy of excerpts of Webster's New International Dictionary of the English Language, Second Edition, published by G. & C. Merriam Company, copyright 1957.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2022 in Hermosa Beach, California.

/s/ Patrick Colsher
Patrick Colsher